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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/523,069	01/27/2005	Atsushi Tanno	OGW-0353	8379

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EXAMINER	
BELLINGER, JASON R	

ART UNIT	PAPER NUMBER
3617	

MAIL DATE	DELIVERY MODE
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No.	Applicant(s)	
	10/523,069	TANNO, ATSUSHI	
	Examiner	Art Unit	
	Jason R. Bellinger	3617	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE *3* MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *20 June 2008*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1 and 3-13* is/are pending in the application.

4a) Of the above claim(s) *3-7* is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1 and 8-13* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☐ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

Claim Rejections - 35 USC § 103

1. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

2. Claims 1 and 8-13 are rejected under 35 U.S.C. 103(a) as being unpatentable over Martinoli in view of Atwell, Jr. Martinoli shows a disk wheel, wherein the rim 12 includes inboard and outboard bead seats with a bead hump and radially outwardly extending flanges 17-18. A single ring-like element 22k (see Figure 14) extends circumferentially around the wheel, and may be provided on a portion of the bead seat located between the hump and the flange of the rim 12 (in this case ring element 22k would be substituted for rib 22 shown in Figure 4). The ring-like element 22k protrudes inwardly from the radially inner surface of the rim 12, and could be the only ring-like element provided thereon (see column 2, lines 61-65). The wheel is formed of magnesium or aluminum or another lightweight metal. As shown in Figure 4, the surfaces of the ring-like element 22 (and specifically portion 23) are co-planar with the surfaces of the rim flange 17. The co-planar surface is generally orthogonal to the central rotational axis of the wheel.

Martinoli does not specify that the cross-sectional area of the ring element 22k is 0.1-0.4 times larger than the cross-sectional area of the thickness of the rim flange plus the width-wise length of the bead seat multiplied by the thickness of the rim adjacent the hump. However, it would have been obvious to one of ordinary skill in the art at the time of the invention to form the ring-like element of Martinoli with a thickness sufficient to

prevent the weight 21f from being dislodged during operation, and to serve as a reinforcing rib to distribute forces imparted on the rim.

Martinoli does not show the ring-like element being located at the inboard bead seat of the rim 12. Atwell, Jr. teaches the use of a ring-like element 20 located at the inboard bead seat of a wheel 10. Therefore, from this teaching, it would have been obvious to one of ordinary skill in the art at the time of the invention to form the ring-like element of Martinoli at the inboard bead seat area of the rim, for the purpose of increasing the aesthetic appearance of the wheel by moving balance weight from the exterior surface of the wheel, and further to protect the balance weight from damage and/or removal in the event of contact with an obstacle such as a curb.

3. Claim 12 is rejected under 35 U.S.C. 103(a) as being unpatentable over Atwell, Jr. In Figures 4 and 4A, Atwell, Jr. shows a disk wheel 10 with a rim 16 located at the peripheral edge of the disk 14. The rim 16 includes inboard and outboard bead seats with a protruding hump and radially outwardly extending flanges. A ring-like element 18 circumferentially extends from the rim 16, and is located between the hump and inboard rim flange. The inboard annular rim flange includes an inboard facing surface that is generally co-planar with an inboard facing surface of the ring-like element 18. The ring-like element 18 is only provided on the inboard bead seat portion.

Atwell, Jr. does not specify that the cross-sectional area of the element 18 is 0.1-0.4 times larger than the cross-sectional area of the thickness of the rim flange plus the width-wise length of the bead seat multiplied by the thickness of the rim adjacent the

hump. It would have been obvious to one of ordinary skill in the art at the time of the invention to form the ring-like element of Atwell, Jr. with a thickness sufficient to prevent the weight 26 from being dislodged during operation, and to serve as a reinforcing rib to distribute forces imparted on the rim.

Response to Arguments

4. Applicant's arguments with respect to claims 1 and 8-13 have been considered but are moot in view of the new ground(s) of rejection.

5. Applicant's arguments filed 20 June 2008 have been fully considered but they are not persuasive. Applicant argues that Atwell, Jr. does not show the inboard annular flange including a radially extending inboard facing surface that is generally co-planar with a radially extending inboard facing surface of the ring-like element. However, both the flange and the ring-like element 20 of Atwell, Jr. include radially extending, inboard facing surfaces which are “generally co-planar” with each other. The fact that the flange and ring-like element 20 extend at an angle to each other does not mean that they are not “generally” extending in a common plane. To be considered co-planar, two elements must have at least one point on each element that falls within a common plane. Atwell, Jr. meets this limitation.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jason R. Bellinger whose telephone number is 571-272-6680. The examiner can normally be reached on Mon - Thurs (9:00-4:00).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Joseph Morano can be reached on 571-272-6684. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Jason R Bellinger/
Primary Examiner
Art Unit 3617